

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N #2005-1E-317-P

21 October 2005

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

COLE GAITHER
RILEY ROAD, LLC
P. O. BOX 14559
CHARLESTON, SOUTH CAROLINA 29422

for a permit to construct a pier, floating dock, and boat lift in

JAMES ISLAND CREEK

at Lot 4, Riley Pointe Way, Charleston, Charleston County, South Carolina.
(Latitude – 32.74079; Longitude – 79.97778)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 7 NOVEMBER 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a timber pier with an 8' x 8' covered fixed pierhead attached to highland by a 4' x 229' walkway. In addition, an 8' x 12' floating dock is to be located on the upstream side of the fixed pierhead and attached to the fixed pierhead by a 3' x 20' ramp and a 12' x 12' four-pile boat lift is to be located on the downstream side of the fixed pierhead. The purpose of this work is for the private recreational use of the future lot owner of Lot 4, Riley Pointe Way.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

REGULATORY DIVISION
Refer to: P/N #2005-1E-317-P
Cole Gaither
Riley Road, LLC

21 October 2005

**U.S. Army Corps of Engineers
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69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and

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Cole Gaither

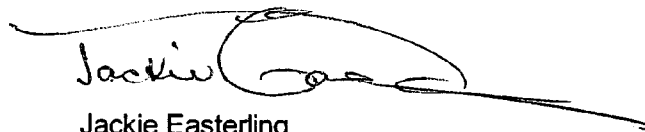
Riley Road, LLC

21 October 2005

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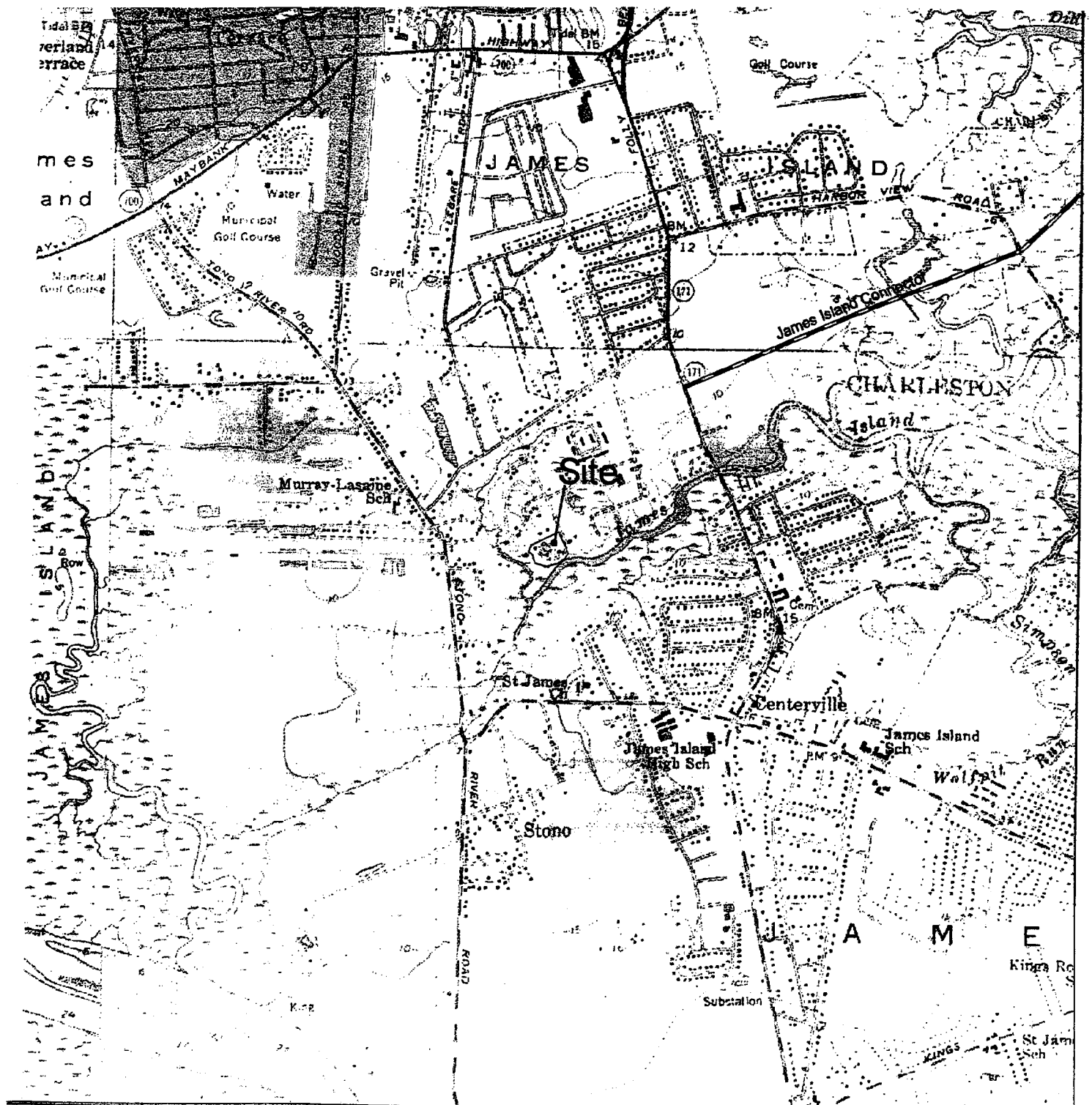
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If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink, appearing to read "Jackie Easterling", with a long horizontal flourish extending to the right.

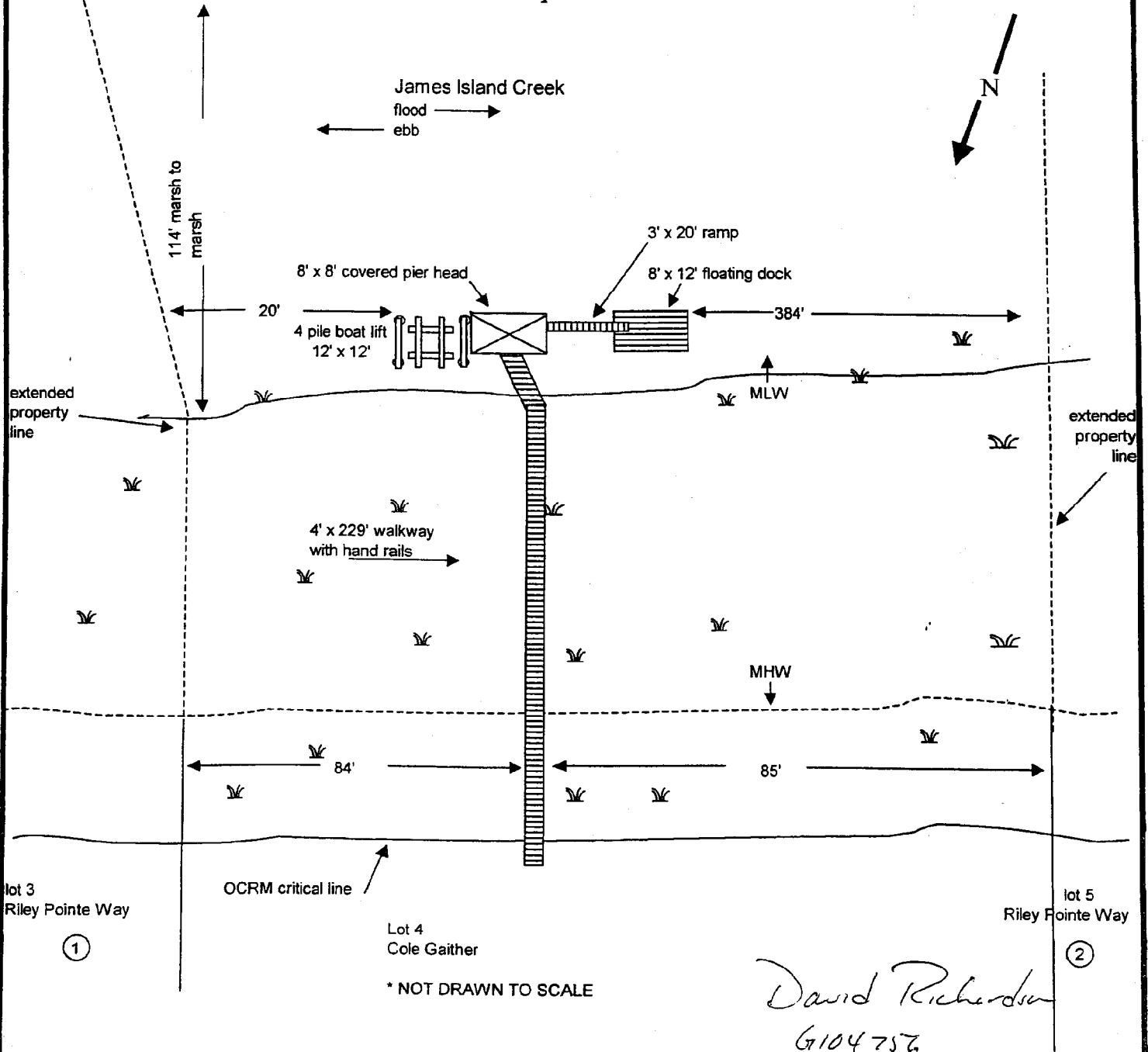
Jackie Easterling
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

Melissa Rada
Project Manager
SCDHEC - OCRM



Applicant: Cole Gaither	Location: lot 4 Riley Pointe Way Charleston, SC 29412	Adjacent Property Owners: 1. Dorothy Green 720 Riley Rd Charleston, SC 29412 2. Elizabeth Singleton 1833 N Grimball Rd Charleston, SC 29412
Activity: private residential dock	County: Charleston	
IN# 2005-1E-317	Date: 25-Aug-05	Sheet 1 of 3

Top View



Applicant: Cole Gaither

Activity: private residential dock

P/N # 2005-1E-317

Location: lot 4 Riley Pointe Way
Charleston, SC 29412

County: Charleston

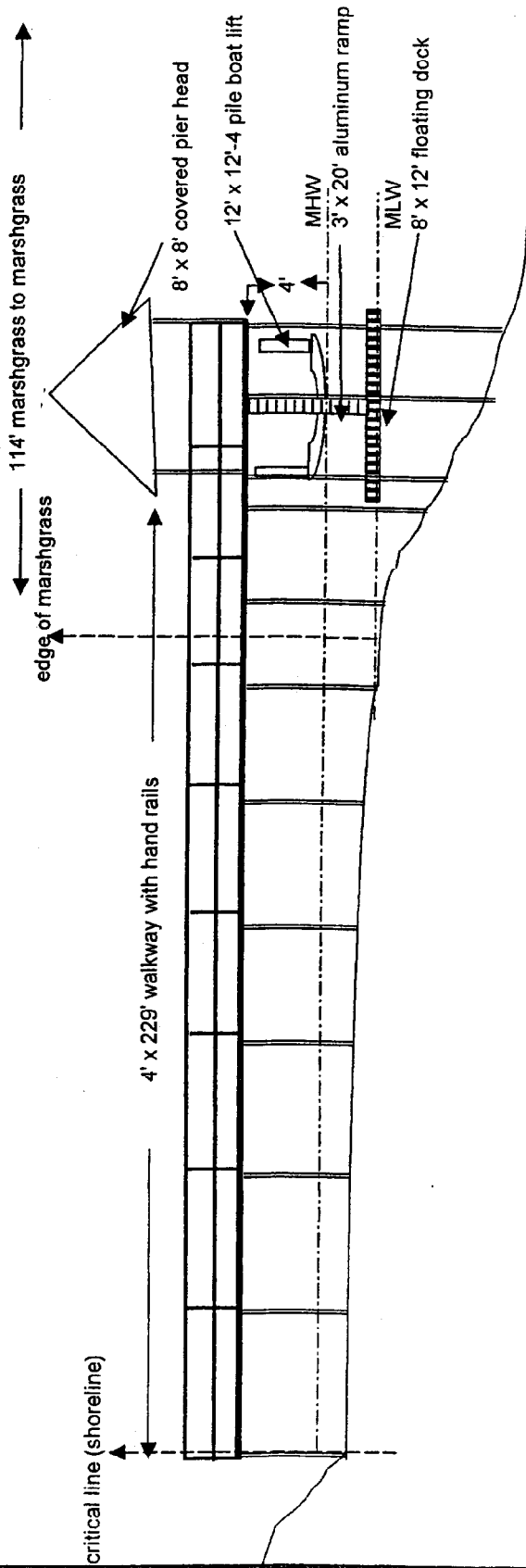
Date: 25-Aug-05

Sheet 2 of 3

Adjacent Property Owners:

1. Dorothy Green
720 Riley Rd
Charleston, SC 29412
2. Elizabeth Singleton
1833 N Grimball Rd
Charleston, SC 29412

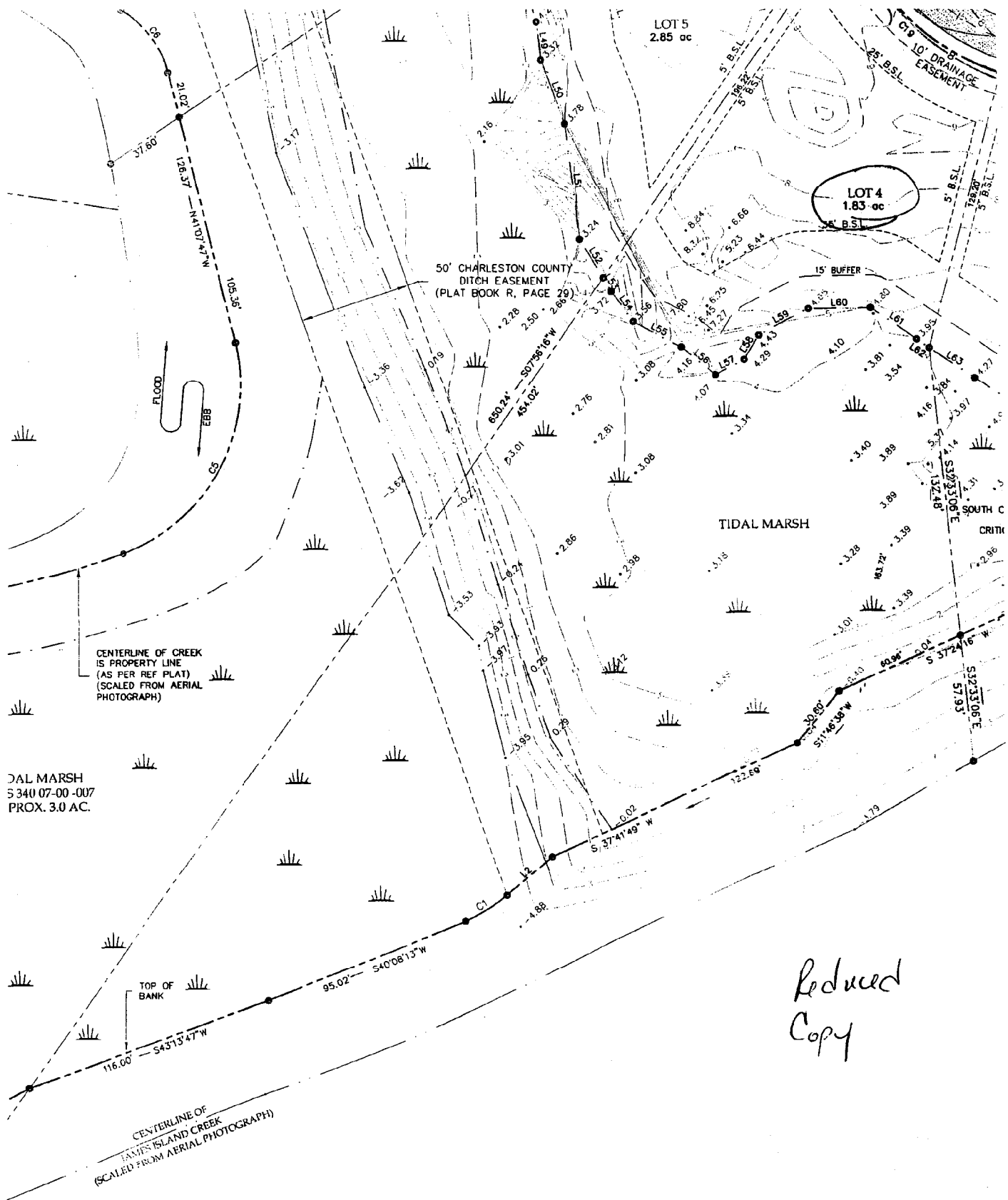
Side View



* NOT DRAWN TO SCALE

David Richardson
G104756

Applicant: Cole Gaither	Location: lot 4 Riley Pointe Way Charleston, SC 29412	Adjacent Property Owners: 1. Dorothy Green 720 Riley Rd Charleston, SC 29412 2. Elizabeth Singleton 1833 N Grimball Rd Charleston, SC 29412
Activity: private residential dock	County: Charleston	
P/N # 2005-1E-317	Date: 25-Aug-05	Sheet 3 of 3



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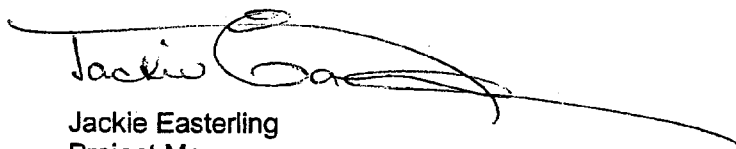
Riley Road, LLC

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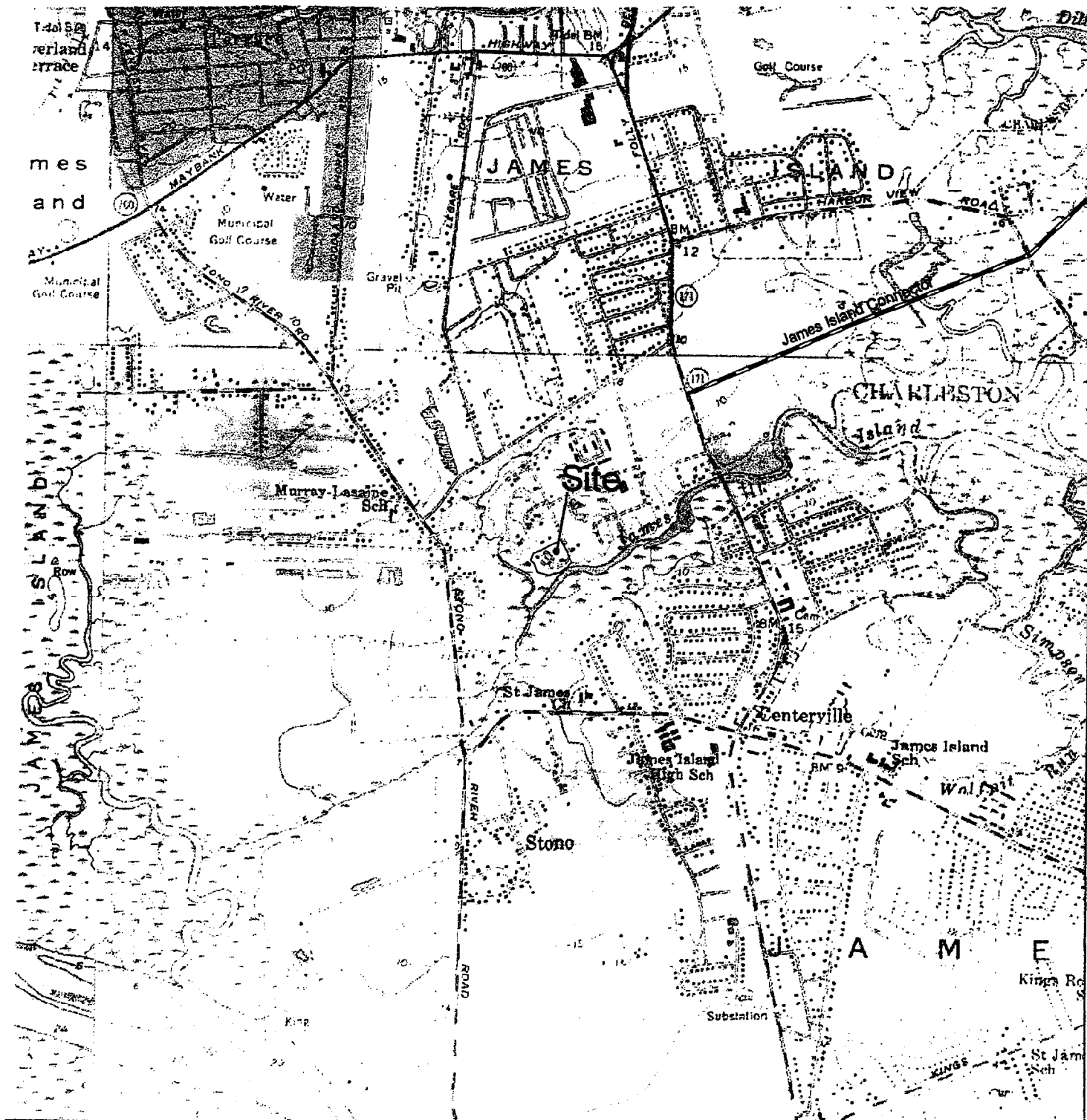
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U.S. Army Corps of Engineers

Melissa Rada
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SCDHEC - OCRM



Applicant: Cole Gaither

Activity: private residential dock

N# 2006-1E-318

Location: lot 5 Riley Pointe Way
Charleston, SC 29412

County: Charleston

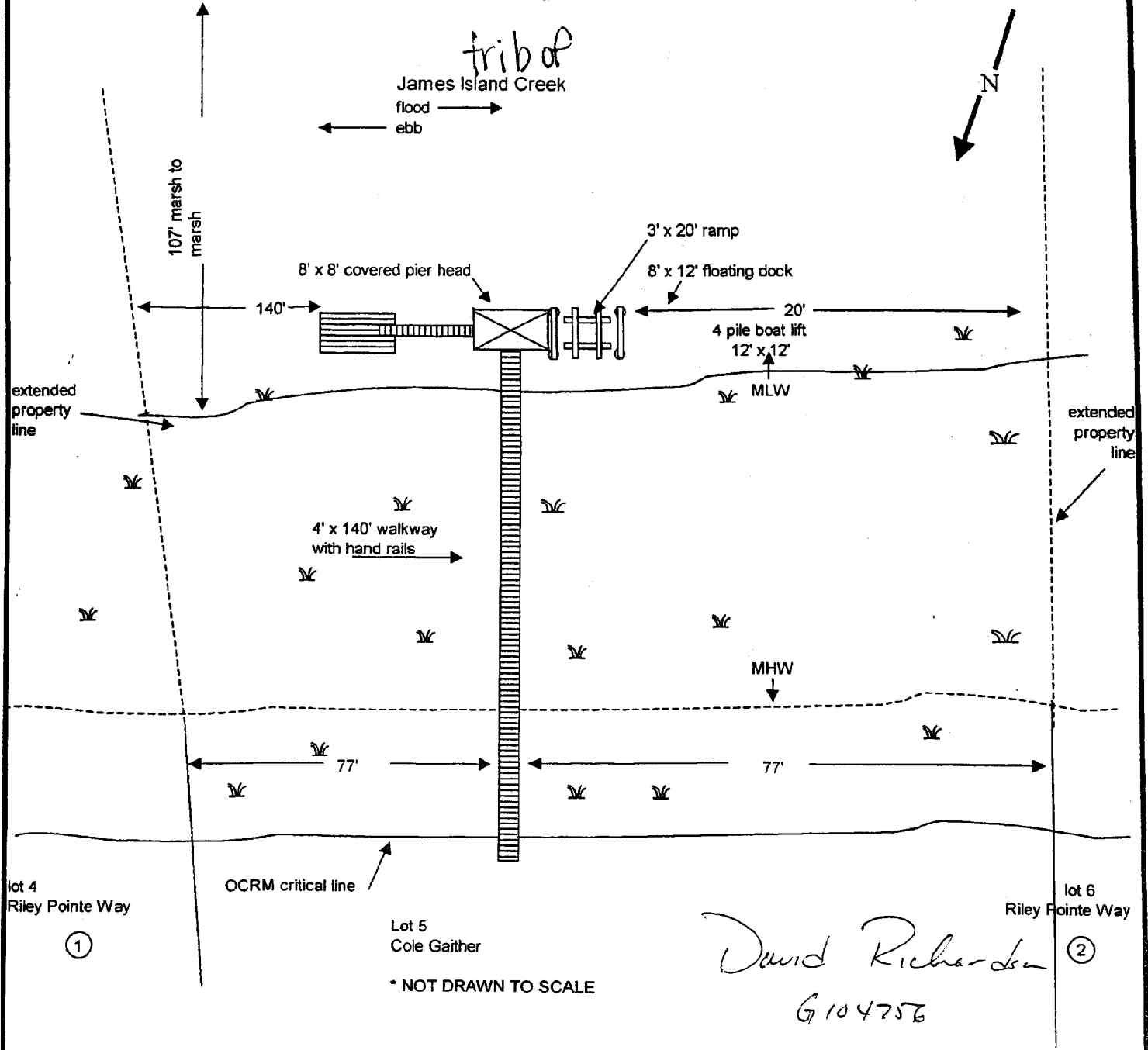
Date: 25-Aug-05

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1. Dorothy Green
720 Riley Rd
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2. Elizabeth Singleton
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Charleston, SC 29412

Sheet 1 of 3

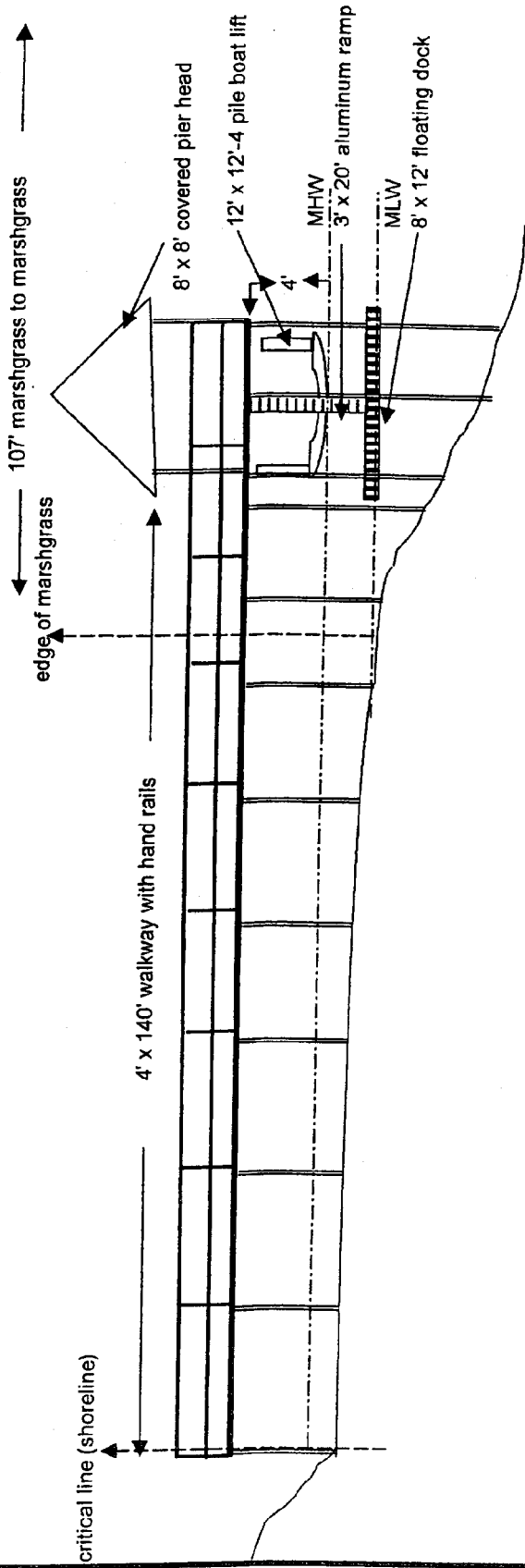
Top View



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Activity: private residential dock	County: Charleston	1. Dorothy Green 720 Riley Rd Charleston, SC 29412
P/N # 2006-1E-318	Date: 25-Aug-05	2. Elizabeth Singleton 1833 N Grimball Rd Charleston, SC 29412

Sheet 2 of 3

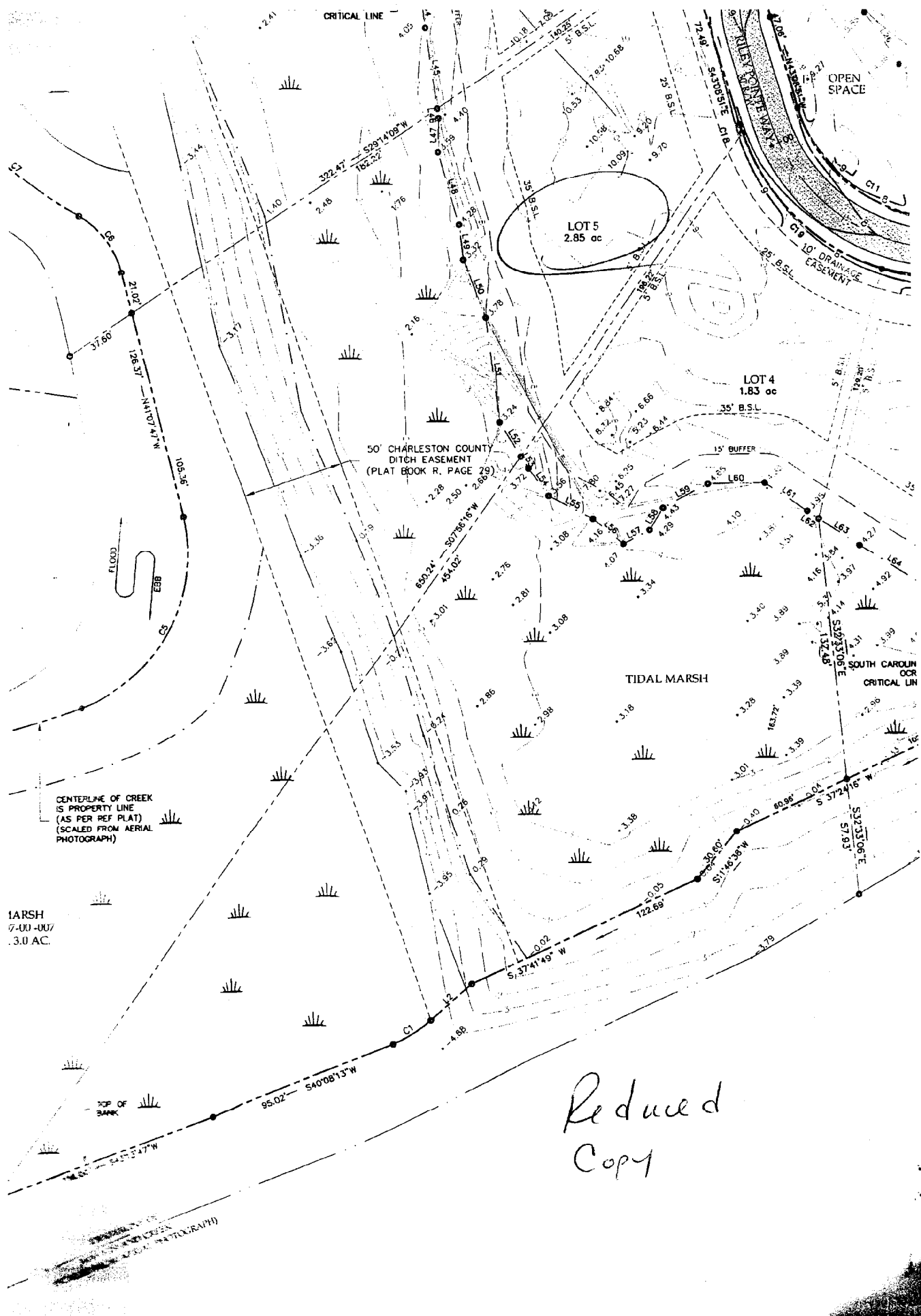
Side View



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David Richardson
G104756

<p>Applicant: Cole Gaither</p> <p>Activity: private residential dock</p> <p>P/N # 2005-1E-318</p>	<p>Location: lot 5 Riley Pointe Way Charleston, SC 29412</p> <p>County: Charleston</p> <p>Date: 25-Aug-05</p>	<p>Adjacent Property Owners:</p> <ol style="list-style-type: none"> Dorothy Green 720 Riley Rd Charleston, SC 29412 Elizabeth Singleton 1833 N Grimball Rd Charleston, SC 29412 <p>Sheet 3 of 3</p>
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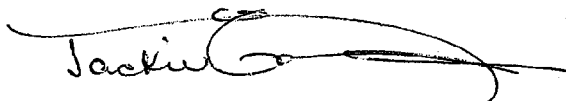
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Project Manager
Regulatory Division
U.S. Army Corps of Engineers

Melissa Rada
Project Manager
SCDHEC - OCRM

Top View

trib of

James Island Creek

flood
ebb

N

75' marsh to
marsh

10' x 12' covered pier head

20'

4 pile boat lift
12' x 12'

135'

MLW

extended
property
line

extended
property
line

4' x 162' walkway
with hand rails

MHW

35'

116'

lot 1
Riley Pointe Way

OCRM critical line

Lot 6
Cole Gaither

Elizabeth
Singleton
340-07-00-006

* NOT DRAWN TO SCALE

David Richardson
6104756

Applicant: Cole Gaither

Activity: private residential dock

P/N # 2005-1E-319

Location: lot 6 Riley Pointe Way
Charleston, SC 29412

County: Charleston

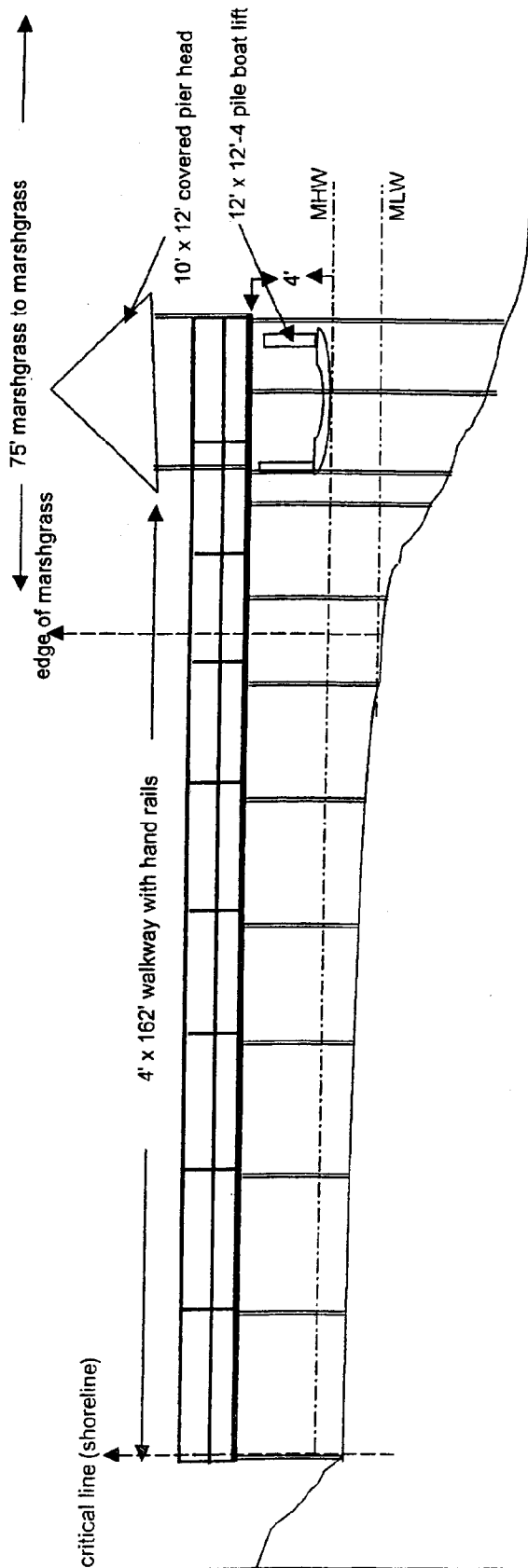
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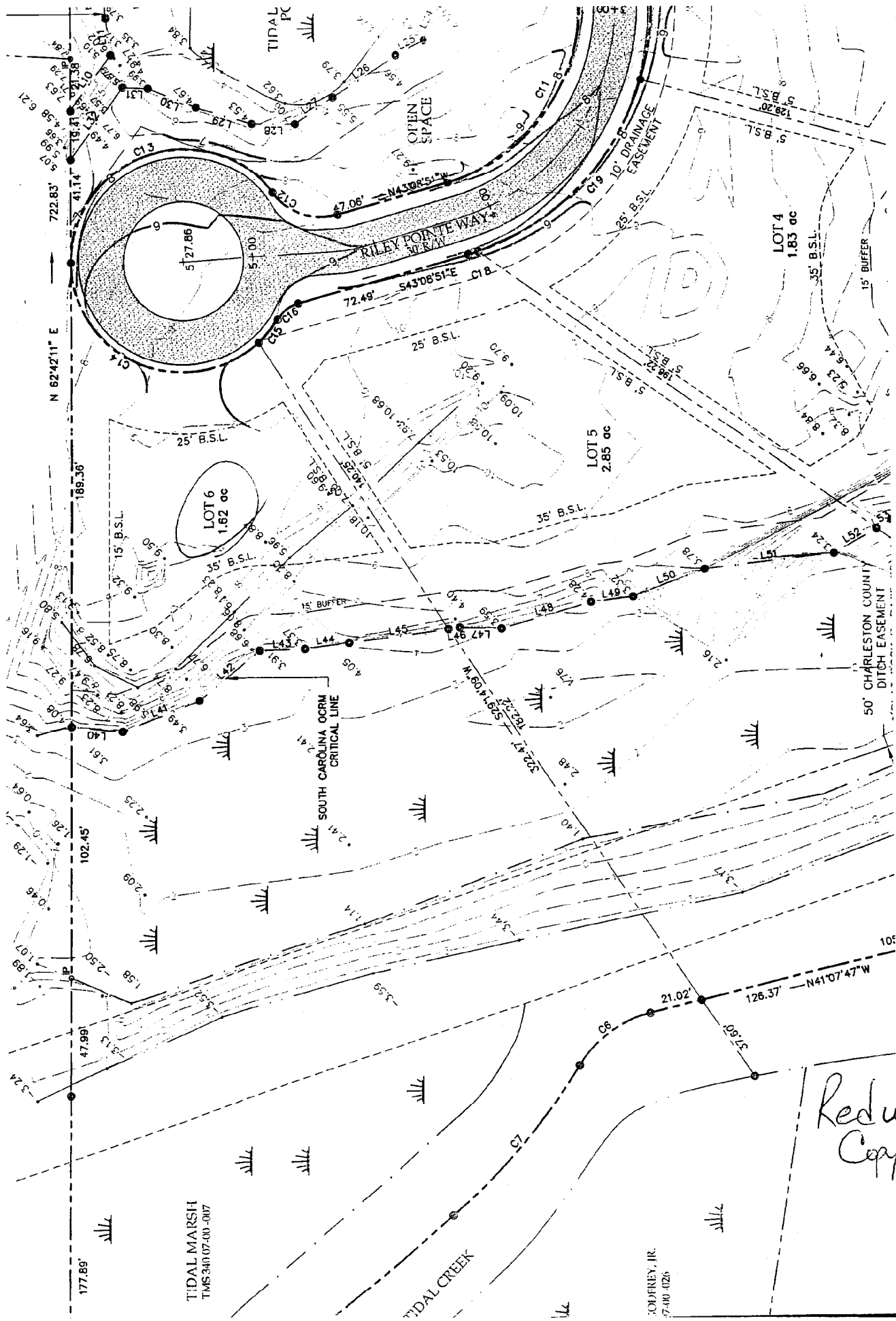
Side View



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G 104756

<p>Applicant: Cole Gailther</p> <p>Activity: private residential dock</p> <p>PIN # 2005-1E-319</p>	<p>Location: lot 6 Riley Pointe Way Charleston, SC 29412</p> <p>County: Charleston</p> <p>Date: 25-Aug-05</p> <p>Sheet 3 of 3</p> <p>Adjacent Property Owners:</p> <ol style="list-style-type: none"> Dorothy Green 720 Riley Rd Charleston, SC 29412 Elizabeth Singleton 1833 N Grimball Rd Charleston, SC 29412
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TIDAL MARSH
TMS 340.07.00-007

JOHNSON, JR.
97.00.026